

Remarks

A. Pending Claims

Claims 409-465 are currently pending. Claims 425 and 444 have been amended to correct typographical errors.

B. Election of Species

The Office Action states: "Claims 409-413, 416-427, 429-434, 436-463, and 465 are generic to a plurality of disclosed patentably distinct species outlined below". Applicant agrees that at least these claims are generic claims. Applicant reserves the right for consideration of claims to additional species written in dependent form upon allowance of a generic claim.

The Office Action states: "Applicant is required under 35 U.S.C. 121 to elect a single disclosed species from each Species Group A-E for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable." Applicant submits the following elections for each Species Group listed in the Office Action:

Species Group A

Applicant respectfully traverses the election of species in Species Group A. Applicant submits that species (2), (3), and (4) in Species Group A are subsets of species (1). All of the species in Species Group A include at least a single ferromagnetic material. Species (2), (3), and (4) include at least a single ferromagnetic material in combination with at least one additional material (e.g., a non-ferromagnetic material or a second ferromagnetic material). Thus, Applicant respectfully requests reconsideration and withdrawal or modification of the election of species in Species Group A.

Under the requirement of 35 U.S.C. § 121, Applicant provisionally elects the species with the generic name: “(1) Heater section and method of heating comprising a single ferromagnetic material”. Independent claims 409, 432, and 452, and the claims dependent on the independent claims read upon the provisionally elected species.

Species Group B

Applicant respectfully traverses the election of species in Species Group B as the currently pending claims appear to be generic to the species groups in Species Group B. Claim 418 describes a combination of features including: “wherein at least one of the ferromagnetic sections comprises iron, nickel, chromium, cobalt, tungsten, or a mixture thereof.” Claim 458 describes a combination of features including: “wherein the ferromagnetic material comprises iron, nickel, chromium, cobalt, tungsten, or a mixture thereof.” This feature appears to be generic to the species groups in Species Group B.

Under the requirement of 35 U.S.C. § 121, Applicant provisionally elects the species with the generic name: “(1) Heater section and method of heating wherein the ferromagnetic material comprises a mixture of iron and nickel”. Claims 418 and 458 read upon the provisionally elected species.

Species Group C

Applicant elects the species described in at least claims 414, 444, and 457 without traverse. The generic name of the species is: “(2) Heater section and method of heating wherein the heater raises the temperature of the hydrocarbon material at or above the pyrolysis temperature”.

Species Group D

Applicant elects the species described in at least claims 428, 435, and 464 without

traverse. The generic name of the species is: "(1) Heater section and method of heating wherein AC is applied at about 180 Hz".

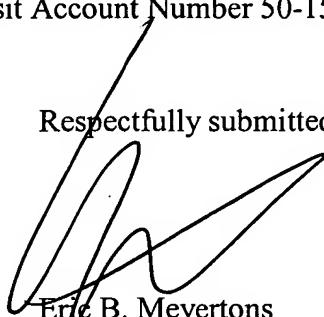
Species Group E

Under the requirement of 35 U.S.C. § 121, Applicant provisionally elects the species with the generic name: "(1) Heater section and method of heating comprising producing refined products from produced fluids". Applicant respectfully traverses the election of species in Species Group F as none of the currently pending claims appear to read upon any of the species groups in Species Group F.

C. Additional Comments

Applicant believes no fees are due with the filing of this document. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C. Deposit Account Number 50-1505/5659-20900/EBM.

Respectfully submitted,



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Date: Sept 23, 2005